DOCUMENT RESUME

ED 291 773 TM 011 058

AUTHOR Bolland, Kathleen A.; And Others
TITLE Judging Judicial Education: A Survey Grounded in a Qualitative Study Provides Useful Information for Educational Planners. Proceedings of a Symposium Presented at the Annual Meeting of the Mid-South Educational Research Association (Mobile, AL, November 10-13, 1987).
PUB DATE Nov 87
NOTE 42p.; For a related document, see ED 281 880.
PUB TYPE Reports - Evaluative/Feasibility (142) -- Collected Works - Conference Proceedings (021) -- Tests/Evaluation Instruments (160)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Continuing Education; *Court Judges; *Educational Assessment; Educational Planning; *Occupational Surveys; *Professional Training
IDENTIFIERS Alabama Judicial College

ABSTRACT

The focus of the symposium was on an evaluation of judicial education in Alabama conducted by the University of Alabama Evaluation and Assessment Laboratory (EAL). The papers include: (1) "Design: From Qualitative Study to Grounded Questionnaire" (J. S. Rogers); (2) "Implementation: Conducting the Qualitative Study and the Survey" (G. A. Turner, J. E. McLean); (3) "Analysis: Coding and Interpreting the Data" (K. A. Bolland, G. A. Turner); (4) "Dissemination: Preparing a User Friendly Report" (K. A. Bolland, J. S. Rogers); and (5) "Use: Results and Recommendations Provide Direction for Planning" (F. W. Gregory, J. S. Rogers). Alabama meets the need for continuing judicial education through the Alabama Judicial College (AJC). Since its establishment, the AJC has routinely collected questionnaire reactions to each individual program it has conducted, and it has used educational committees to assess the professional education needs of each personnel group (judges, court clerks, secretaries to judges, court reporters, and other court employees). The EAL's approach included a qualitative research study to identify issues to be addressed and a survey to collect information regarding those issues from each of the personnel groups. The qualitative study included observation of AJC conferences and in-depth interviews with court personnel. The survey, included in this document, was a mailed questionnaire that included multiple-choice and open-ended items. (TJH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED291773

Judging Judicial Education: A Survey Grounded in a Qualitative Study Provides Useful Information for Educational Planners

Design:
From Qualitative Study to Grounded Questionnaire
(Julia S. Rogers)

Implementation:
Conducting the Qualitative Study and the Survey
(Gloria A. Turner and James E. McLean)

Analysis:
Coding and Interpreting the Data
(Kathleen A. Bolland and Gloria A. Turner)

Dissemination:
Preparing a User Friendly Report
(Kathleen A. Bolland and Julia S. Rogers)

Use:
Results and Recommendations Provide Direction for Planning
(Frank W. Gregory and Julia S. Rogers)

Kathleen A. Bolland, James E. McLean, Julia S. Rogers, and Gloria A. Turner
The University of Alabama College of Education
Evaluation and Assessment Laboratory

Frank W. Gregory
Alabama Administrative Office of Courts

Julia S. Rogers
University of Montevallo

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY
Kathleen Bolland
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
X This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

TM 011 058

This symposium was organized by Kathleen A. Bolland for presentation at the annual conference of the Mid South Educational Research Association, Mobile, Alabama, November 1987.

BEST COPY AVAILABLE

Judging Judicial Education:
A Survey Grounded in a Qualitative Study
Provides Useful Information for Educational Planners[1]

Symposium Overview

Although most judges have law degrees, their law school education does not directly address their needs as judges. Continuing education for incumbent judges is a relatively new area of professional education across the country. Alabama meets the need for continuing judicial education through The Alabama Judicial College (AJC), which was established in 1978 as an outgrowth of the 1975 Unified Judicial System legislation. Other court personnel also have continuing educational needs, so the primary goal of the College is to provide continuing education to all members of the judicial system.

Since its establishment, the AJC has routinely collected questionnaire reactions to each individual program it has conducted, and it has used educational committees to assess the professional education needs of each personnel group (judges, court clerks, secretaries to judges, court reporters, and other court employees). However, until contracting with the University of Alabama Evaluation and Assessment Laboratory in 1986, it had not conducted a systematic evaluation of needs. This symposium presents the methods and results of an evaluation and needs assessment designed to help the AJC shape its future direction.

The evaluation included two phases--a qualitative research study to identify issues to address and a survey to collect information regarding those issues from each of the personnel groups. The qualitative study included observation of AJC conferences and in-depth interviews with court personnel. The survey was a mailed questionnaire including multiple-choice and open-ended items.

The Design paper describes how we planned the study, our plans for using the qualitative study to develop a survey questionnaire, and additional benefits of using a qualitative approach. The Implementation paper provides a "you were there" flavor to a description of how we accomplished the qualitative study and the survey. The Analysis paper discusses the procedures we used for coding and analyzing the survey responses. In the Dissemination paper, we discuss our attempts to design a final report that could be easily used and in the Use paper, we discuss accomplished and planned use of the results.

---

[1]This symposium was organized by Kathleen A. Bolland for presentation at the annual conference of the Mid South Educational Research Association, Mobile, Alabama, November 1987.

Design: From Qualitative Study to Grounded Questionnaire

Julia S. Rogers

The Alabama Judicial College (AJC) and the Administrative Office of Courts (AOC) contracted with the Evaluation and Assessment Lab of the College of Education at the University of Alabama to conduct this evaluation and needs assessment study. After nine years of operation, the AOC and AJC staff felt the need for a comprehensive evaluation effort, conducted by an external agency, to look at the total program, assess its effectiveness, and guide the future direction of judicial education in Alabama. During the course of the study, these needs became even more pressing when the State of Alabama went into proration, seriously reducing the budgets of all state programs and directly threatening the continuance of some, if not all, of the judicial education program. Thus there were the added concerns regarding the most essential aspects of judicial education that should be preserved even with reduced funding, and how the cost effectiveness of programs could be improved.

The staff of the AJC and the evaluation team jointly decided not to limit the study to a survey questionnaire designed by the contractors in consultation with AJC staff, opting instead to conduct first a qualitative study. The value of the qualitative study was three-fold:

1. to familiarize the evaluators with the court system and the AJC, and with legal terminology.

2. to provide information from which to develop a questionnaire that would truly address the underlying concerns that the AJC/AOC had regarding the effectiveness and future direction of the program.

3. to allow the "consumers" of the program to provide their own spontaneous ideas about judicial education--past and future--that might provide information on unrecognized problems and/or original and creative suggestions for future direction.

It was arranged for two evaluation team members to observe courtroom trials, office procedures, and educational conferences and to interview officials and employees in each component group about their duties, educational needs, and reactions to current AJC programs. These qualitative researchers also interviewed extensively AJC staff members to focus better on the underlying concerns about which information was being sought. In addition, evaluation team members interviewed the Dean of the School of Law at University of Alabama to obtain the perspective of a legal educator on the potential future direction of judicial education.

Close and frequent contact was maintained with the AJC staff throughout the qualitative study. This helped the evaluators to establish rapport with the judicial college staff, enabling the evaluators to call on them frequently for input during the design and analysis stages. This increased the probability that the final report would contain useful information and that it would be presented in a usable format.

From the information gained in the qualitative study, draft questionnaires were developed to be sent to court personnel. As the questionnaires were being developed, further discussions were held with AJC

staff to limit items to those that would provide information useful for program planning, setting of priorities, and helping secure adequate funding, and to eliminate questions that could be better addressed in another way or at another time. This helped ensure that the evaluation study would truly inform decision-making and also ensured that appropriate language was used in phrasing the questions. The rapport that was developed between the evaluation team and the AJC staff also made it easy to get answers to quick questions with phone calls rather than writing formal letters or guessing when in doubt (for example, about legal and court terminology).

Three questionnaires (one for judges, one for court clerks, and a common one for the other personnel to be surveyed) were developed, all basically alike but with some extra questions about goals and policies for judges and about needs of their employees for judges and court clerks/registers. The 44-54 item questionnaires included structured-choice (e.g., multiple choice and checklist) and open-ended items. Several evaluation team members actually "took" the questionnaire to try it out, attempting to fill it out as a typical judge, clerk, etc., might.

Implementation: Conducting the Qualitative Study and the Survey

Gloria A. Turner and James E. McLean

The Qualitative Study

Qualitative data collection methods. This study used qualitative research methods in which the natural setting is the direct source of data. Action can best be described when it is observed in its setting. This provides descriptive data--the subjects' own words as well as observable behaviors--for the purpose of understanding a phenomenon holistically and in context. In this study, we collected data through participant observations and in-depth interviews. In participant observation, the researcher enters the world of the people being studied, gets to know them, gains their trust, and systematically keeps a detailed written record of what he/she hears and observes (Spradley, 1980). Our researchers participated along a continuum from non-involvement (courtroom observations) to high involvement (talking with participants while observing their educational conference). In an in-depth interview, the researcher spends a great deal of time in the interviewee's environment, asking open-ended questions, such as "What is your typical day like?" "Can you think of any other kinds of activities you would do as a judge?" (Bogdan & Biklen, 1982; Spradley, 1979). In this study, we were concerned with understanding the subjects' frame of reference. An advantage of using the in-depth interview was that we could ask our interviewees whether we had represented their responses accurately and appropriately, thus increasing validity.

During this phase of the study, conducted during the summer of 1986, the researchers constantly asked, "What questions do the Administrative Office of Courts (AOC) staff and educational advisory committees need to have answered as a basis for deciding what to retain, what to modify, and what to add?" This questioning process led to more detailed questions, such as "What are the job requirements that should guide training efforts?" "How well has the Judicial College met the needs of the personnel it serves?" "What are the strengths and weaknesses of the Judicial College?" "What suggestions are there for future Judicial College training sessions?" and, finally, "What specific questions should be on the evaluation questionnaire to be sent to court personnel?" Thus, this study followed one of the guidelines for qualitative research: "Such research begins with questions rather than hypotheses" (Blase, 1986, p. 16).

We collected data in several ways. The research team members spent about 75 hours conducting in-depth interviews and observations over a period of eight weeks. They took field notes during observations and interviews and recorded details after each session. They observed judicial personnel in courtroom, office, training, and social settings. Some of the observations were conducted jointly by the two researchers and some were conducted separately. During some of the initial observations (open courtroom and general training sessions), the people being observed were unaware of the presence and purpose of the researchers. During most of the study, however, those being observed were aware of the researchers' presence and purpose. The researchers spent six and one-half hours observing actual court proceedings

and observing the court officials, their employees, and the interactions among the judge, the secretary, and the bailiff.

Some of the interviews were conducted jointly by both researchers and some separately. To build rapport, the researchers explained what the project was all about and what would be done with the findings. They told the interviewees why they were taking notes and encouraged interviewees to use language native to their profession. (Knowledge of such "native language" was later of great value when the researchers coded the open-ended questions of the questionnaires. The handwriting was easier to read because the researchers had some knowledge of terminology used by court personnel.) The researchers repeated things the interviewees said, restating them in the interviewees' own language. This, along with constant questioning, enabled the researchers to ask the **right questions** using the **right words** on the questionnaires. This increased the likelihood of obtaining useful information.

Interviews were conducted with the following court personnel: judges (both district and circuit), secretaries to judges, court clerks, court reporters, and bailiffs. In some cases, AOC staff had explained the purpose of the interview prior to the researchers' first contact. This helped the researchers gain access easily to key people within the court system. This also helped eliminate suspicion and unwillingness to answer questions on the part of the interviewees. However, even where the AOC contact had not previously been made, interviewees were very cooperative. The researchers spent six hours (jointly) in intensive interviews with one relatively new judge, exploring her perceptions of the benefits of the Judicial College for new judges and exploring her perceptions of the needs of a new judge. In addition, the researchers spent four hours jointly interviewing personnel of the AOC. One of the researchers spent five additional hours interviewing other members of the AOC and the dean of the law school at The University of Alabama. One and one-half hours were spent jointly interviewing a judge with extensive background with the National Judicial College, and an additional four and one-half hours were spent individually interviewing other judges and other court employees. Some interviews were conducted by telephone in order to avoid the extensive travel required for on-site interviews. However, the interviews conducted in person resulted in more information. Twenty-two people were interviewed formally, and dozens more informally contributed brief comments and suggestions. Some were interviewed on more than one occasion. Follow-up contacts were made if the researchers had questions after the initial interview.

Both of the researchers involved in the qualitative phase of the study attended the AJC's annual two-day conference of circuit and district judges, each spending 18 hours in observations of the conference workshop sessions and in informal discussions with judges and AOC staff attending the conference. Many of the informal interviews were conducted between workshop sessions, at mealtime, and at social gatherings. This allowed access to many people with minimum effort and expense in time and money.

There is no definite stopping point for qualitative studies. The researchers continued to collect more and more data. When the data started to be repetitive, the researchers determined that data collection was complete.

Qualitative analysis techniques. Interviews and observations left the researchers with mountains of data to reduce into meaningful categories. This made data reduction difficult, time-consuming, and at times frustrating. Some method of coding of the interview statements and observations contained in the detailed transcripts, or protocols, had to be used early in the analysis to make this type of information manageable. After they completed several of the major interviews and four or five hours of observation, the research team began coding and analyzing the qualitative data, using the method of constant-comparative analysis (Bodgan & Biklen, 1982; Parker & Gehrke, 1986). The constant-comparative analysis technique (called "joint coding and analysis" by Glaser and Strauss, 1967), allowed the researchers to simultaneously code data and construct categories. The categories were generated from the data themselves, based on perceived similarities and differences in the data (Parker & Gehrke, 1986).

The research team coded each comment, question, and suggestion on the protocol was coded according to (a) the aspect of the program to which it related, (b) the person who made this point, and (c) the probable personnel group(s) from whom information about this point might be desired in the questionnaire portion of the evaluation study. They selected one of the longer interview protocols for coding first. A category code was assigned for each aspect of the AJC program mentioned. They then coded a second set of interview notes, using the aspect codes derived in the first protocol and adding new categories when needed. The entries within each coded category were then compared between protocols. The researchers used these emerging category codes with each other set of interview and observation notes, constantly comparing, refining, and expanding the categories. The aspects of the program identified were many and varied, including such things as "non-attendance reasons," "method of presentations," "orientation for new personnel," "core curriculum," "program planning," and "location of conferences."

To simplify the conversion of the coded comments into questionnaire items, the researchers grouped them into logical categories. Three main categories were identified: **content** of the educational programs, **process** used in planning and delivering the educational programs, and **outcomes** of the educational programs. Each of the clusters contained questions and/or suggestions relating to that program aspect, including concerns with (a) evaluation of past and present programs, and (b) perceived needs for future direction of the AJC program.

Project staff (including the research team) used this set of categories of program aspects and specific related comments and questions to generate the questionnaires to be sent to court personnel. As we reviewed the organized questions, additional questions in the various categories almost suggested themselves and we added them. Far more potential questionnaire items were generated by this process than could be used in any practical study. All draft items were reviewed with the Director of Judicial Education and other AJC staff to determine the ones that would generate the most practical information for decision-making for future program development. Items of less potential value were discarded, and those items on which information could be (or already had been) gathered by some other means were set aside to be addressed by other methods. The questionnaire drafts were reviewed by all project personnel and consultants, as well as by the Director of Judicial Education and some of his staff, before the final draft was approved.

The Survey

After we designed the questionnaires, we printed camera-ready copies using word processing software with a microcomputer and a letter-quality printer. We had copies printed on different colors for each personnel group and we had sequential numbers printed on each questionnaire. We color-coded the questionnaires for several reasons:

1. Colored questionnaires would be more difficult for respondents to lose than a white questionnaires would be.

2. The color added an identifier we could use during follow-up conversations.

3. The various colors would help us keep the returned questionnaires separated by personnel group.

We used the sequential numbers as identification numbers so we could follow up the personnel who had not returned their questionnaires and so we could code responses during the analysis phase without revealing respondents' identities. (Apparently, only two respondents doubted us: One cut off the code and one scribbled over it.)

We sent questionnaires to all 258 judges (including 39 retired and defeated judges), all 89 court clerks and registrars, all 231 secretaries to judges, and all 119 court reporters. A sample of 115 other court employees was also surveyed (approximately 20% of those employees).

We attempted to increase the probability of a high response rate by (a) motivating potential respondents; (b) assuring potential respondents that we would not violate their confidences; and (c) making it as easy as possible for the respondents to return their questionnaires and as difficult as possible to forget about them.

Our interaction with court personnel during the qualitative study was one aspect of the motivation. They were able to see that we were interested in discovering their views on how the AJC could be improved. We asked for a motivating cover letter from the Chief Justice and we got an excellent one. Finally, AOC/AJC staff spoke with several court personnel and personnel groups, reminding them of the importance of their responses to the survey.

We included a cover letter from the project director to reinforce the importance of each individual's responses and to assure personnel that we would not identify respondents during any phase of our study. The return envelopes were addressed to us, not only for our convenience, but also as further assurance that AOC/AJC staff would not have access to respondents' names.

To make it easy for individuals to return the questionnaires, we used standard conveniences such as self-addressed stamped envelopes. We also used colored questionnaires that are more difficult to lose. Our follow-up strategy also made it difficult for personnel to forget about the questionnaire.

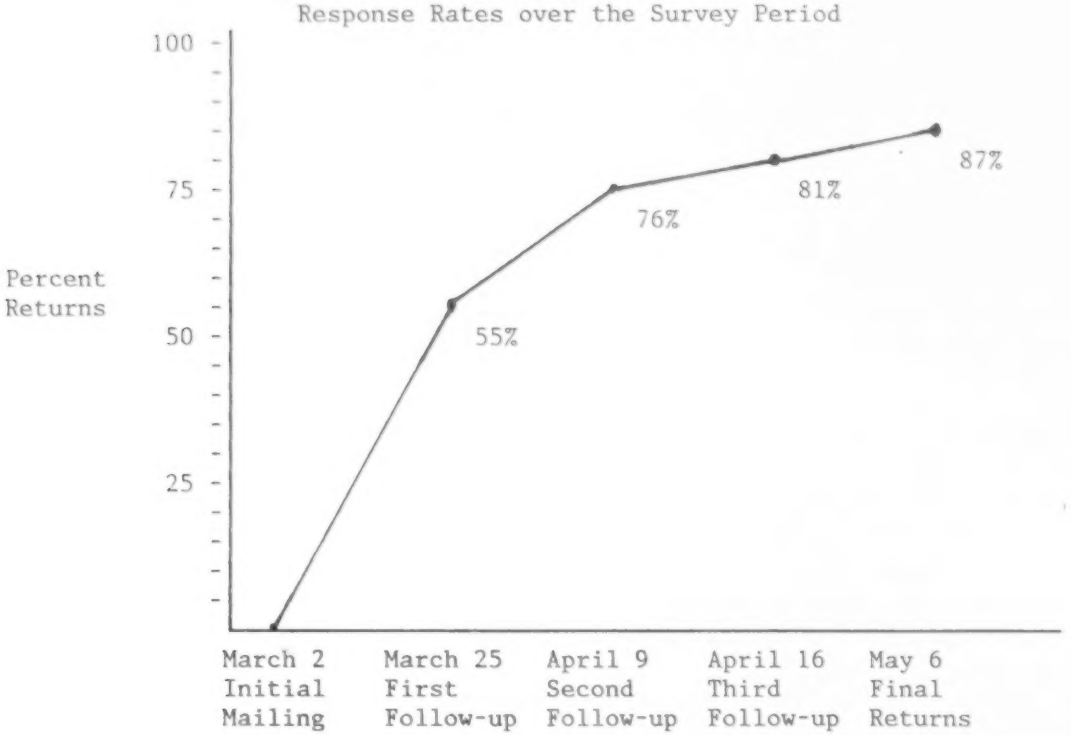
Two weeks after the first mailing, we mailed a complete set of materials (new cover letter, questionnaire, and stamped return envelope) to all non-respondents. We stressed the importance of a prompt and thoughtful response. Two weeks following the second mailing, we sent a postcard to all non-

respondents, again requesting their cooperation and indicating that if their questionnaire was not received by a particular date, they would receive a phone call. On that date, each non-respondent was called.

The overall return rate after three follow-ups was 86.9% (88.6% when retired and defeated judges are excluded). Table 1 depicts the percentage of responses received by the date each follow-up was begun and the final response rate.

When we received completed questionnaires, we recorded their return by date and by identification number. To aid in the coding phase, we affixed a pre-prepared label that included demographic information to each returned questionnaire. We stored completed questionnaires by personnel group so they would be ready for coding (we began the coding when we received the first returned questionnaire).

Table 1
Response Rates over the Survey Period



Analysis: Coding and Interpreting the Data

Kathleen A. Bolland and Gloria A. Turner

Coding the Multiple-Choice Data

Because the five questionnaires were basically alike, we used the same coding system for each personnel group (Judges, Court Clerks/Registers, Legal Secretaries, Court Reporters, and Other Court Employees) except for the extra questions asked of judges and clerk/registers. We set up separate data bases for each personnel group for the multiple-choice questions, and ran analyses for each group.

We tabulated the structured questions with SAS, and generated frequency tables for each item within each of the five personnel groups. Cross tabulation charts were also generated to determine if factors such as whether the respondent worked in a circuit or a district court made a difference in response patterns.

Demographic data for each respondent was taken from a data base that had already been created and printed on white labels. These labels were placed on the returned surveys for ease of entering the data into the data base. Included on the white labels was a unique identification number for each returned survey. There was an indication of whether the respondent was from a circuit or district court. The circuit number of the court was also indicated. Values of large, medium, small or rural were assigned according to the size of the county. Position values were also indicated. These indicated whether the respondent was a judge, retired or defeated judge, clerk/register, clerk, register, appellate clerk, supreme clerk, court administrator, court reporter, legal secretary, judicial secretary, Clerk III, Clerk IV, Clerk V, Clerk VI, or administrative assistant. A variable was also included that indicated the response pattern of the respondent. This included a value for those who responded to the initial mailing received, and values for those who responded to the first, second, or third follow-up. A value was also assigned to those who responded minimally to the questionnaire.

To expedite the entering of the data into the computer, we made a transparent overlay of each of the five questionnaires. We marked column number and response values on the overlays, and then placed over the returned surveys for ease of entering the responses into the computer. Blue numbers on the overlays indicated the column number or field in the data base for each question. Red numbers indicated the acceptable values for each of the corresponding questions. On single-answer questions, that value was entered when there was a check in that response. For example, the responses to the question concerning geographic location (column number or field 12) were NONE, SOME, and GREAT. NONE was assigned a value of 1, SOME was assigned a value of 2, and GREAT was assigned a value of 3. If the respondent checked SOME, a 2 was entered in column number or field 12. Failure to respond to this type question was coded as missing. On the CHECK ALL THAT APPLY questions, a 1 was entered if that response were not checked and a 2 was entered if that response were checked.

We generated cross tabulation charts for each of the personnel groups. Cross tabulation charts were generated for several questions by circuit court and by district court, as well as by size of court (large, medium, small and rural), for each of the five personnel groups. Included in these were cross

tabulations generated by the following questions: (1) organization for within-state regional meetings, (2) when within-state regional meetings should be held, (3) desire for joint conferences with other court officials, (4) required completion of core curriculum for certification, (5) desire for "bring your own problem" session at each conference, and (6) education specifically oriented to size of court, rural/urban status or jurisdiction of court.

Several cross tabulation charts were generated by question 1, "What percentage of Alabama Judicial College (AJC) conferences have you attended while in your present position?" These included cross tabulations by the following questions: (1) appropriate detail of program content, (2) appropriateness of time allocated for each topic addressed, (3) characterization of handouts, (4) value of formal presentations, (5) value of informal contacts with colleagues, and (6) use of learning aids to supplement an AJC session.

In addition to these cross tabulations, for the Court Clerks/Registers, cross tabulation charts were generated for every question by type of clerk (clerk/register, clerk, register, appellate clerk, and supreme clerk). Also, for Other Court Employees, cross tabulation charts were generated for every question by type of employee (Clerk III, Clerk IV, Clerk V, Clerk VI, and administrative assistant).

The record lengths of the five data bases varied from 129-142 and included the demographic data as well as responses to the 44-54 questions on the questionnaires. Initially, entering the data into the computer for one survey took approximately four minutes. This was later reduced to slightly less than two minutes per survey.

Coding the Open-Ended Responses

We used word processing software on microcomputers to manage the open-ended data. We knew this software would allow us to sort the responses in a variety of ways once we had the information in files. We made a separate file for each personnel group. All the data manipulation was done by personnel group; the files were never aggregated.

We coded each response to each question with the total code assigned to the respondent (identification number, circuit/district status, circuit number, county size, job title/position category) and the questionnaire item number. We entered responses a questionnaire at a time, verbatim, with a few exceptions:

1. Obvious typos and grammatical errors were corrected
2. Responses that expressed different thoughts were listed separately

We inserted plus signs where words or phrases were illegible and replaced the plus signs when we were able to interpret the handwriting.

After we had entered the data, we checked to be sure we had entered data for each completed questionnaire. To do this, we sorted the files and the questionnaires by id number and made sure we had a one-to-one correspondence. We spot checked to be sure all the responses had been entered.

Analysis and Interpretation of the Open-Ended Responses

Next, we sorted the responses primarily numerically by item and secondarily alphabetically by the first word of each response. Then, an item at a time, we began to categorize the responses. After eyeballing the responses to get an idea of the inherent categories, we coded the categories so they could be more easily sorted with the word processor sorting feature. The alphabetical sort helped, because, for example, all the "legal terminology" responses were together, even though "jargon," which would end up being in the same category, was not. We categorized responses intuitively, not with any preconceived notions of what the categories would be. The background we gained from the qualitative study and the rapport we developed with the AJC administrator helped immensely. We were able to ask where a response should be categorized when we couldn't tell. We maintained the verbatim quality of our response listings, with another exception. When different responses clearly had no difference in meaning, we put them together. Thus, speaker and presenter were categorized together as "speaker (n)." We tried to err conservatively, that is, if we had any doubts, we left the responses separate. For example, "ethics" and "code of ethics" were listed as separate responses.

After categorizing responses, we listed responses in order of frequency. Thus, in glancing at the responses item-by-item, we could get a quick impression of the type of responses that were most frequent. We wrote discussions and recommendations from this step, after several double-checks to be sure the data were all there and that the categorization was reliable.

Dissemination: Preparing a User Friendly Report

Kathleen A. Bolland and Julia S. Rogers

Two basic prerequisites to the actual use of evaluation results are (a) useful data and (b) a usable report. The users must believe the data are worthwhile and the evaluation report must be presented in a format the user can easily use. The preceding papers described how we determined the appropriate questions to ask and how we asked those questions in a way that would yield a high response rate and thoughtful, complete responses. To increase the potential usability of the report, we conferred with the users before writing the first draft and again during revisions.

We identified three potential types of users. Most important were AJC staff members and the Educational Committees (each personnel group has an Educational Committee) who will be looking for information on which to base programmatic decisions. Another type of user includes Administrative Office of Courts staff (including the Chief Justice) and legislators. These individuals will look for support for policy decisions rather than for information to guide programmatic decisions. The other type of user includes judicial college staff from other states, staff of the National Judicial College, and educational RD&E professionals who may review the report for ideas applicable to their own situations. Many of these individuals will be interested in explanations of the study procedures more than in the substantive results.

We did not try to meet all these needs in one document. Instead, we developed a full report and separate smaller reports for different users. The full report includes: (a) a description of the Alabama Judicial College; (b) a brief description of the study procedures; (c) a narrative discussion of the results for each personnel group and relevant recommendations for the AJC; (d) an appendix of survey results for each personnel group; (e) a technical supplement explaining the study procedures in more detail; and (f) the traditional executive summary. Each smaller report, designed for different types of users, is composed of selected parts of the full report. Before we began to draft the report, we conferred with AJC staff regarding their format preferences. As we began compiling the report, we used different formats for the discussion and recommendation sections and the results appendices for different personnel groups. This gave the reviewers a sample of different formats from which to choose one that was most appealing and easy to use. We then chose the most preferred style and rewrote the other sections to make them all consistent. We also conferred with AJC staff and consultants regarding use of language, categorization of responses, and feasibility of recommendations.

The hardest decision we faced was how to present the results and the recommendations. We wanted AJC staff members and Educational Committee members to review all the comments the respondents made but we did not want lengthy lists of comments to prevent readers from grasping the trends. We needed to provide enough information in the sections where we described the results to make those sections accurate and informative, but if all the results were not there, we also needed to make the reader want to go to the complete results section to peruse the comments. We also thought users would like to have a list of recommendations, but we did not want to enable users to

easily go straight to such a list and ignore the results that led to the recommendations. Our solution was to provide, for each personnel group, a discussion and recommendation section that describes the results, includes examples of respondents' comments, and provides pertinent recommendations; a table of recommendations at the conclusion of that section; and an appendix of results (sample pages from the report are provided in the appendix of this paper). Having the complete results in an appendix keeps the lengthy comments and frequency tables out of the way of the reader who wants to grasp the trends; having examples of comments in the discussion and recommendation section should make the reader want to go to the appendix to read more comments; and having the recommendations imbedded in discussions of the data from which they were derived should help the users see those recommendations in context, before they find the table of recommendations.

Use: Results and Recommendations Provide Direction for Planning

Frank W. Gregory and Julia S. Rogers

Recommendations regarding educational content, delivery methods, educational goals and policies, organization of joint and regional conferences to supplement state-wide conferences, and logistics were derived from the study. Some questions that resulted from these recommendations would not have been asked had we not conducted the qualitative study before developing the survey instrument. Results verified AJC staff and component group assumptions, but there were unexpected findings as well. For example, the survey indicated that many judges would like to have lawyers as educational committee members and faculty, although the conventional wisdom is that judges don't want lawyer involvement.

As a direct result of the survey, the Alabama Judicial College has adopted the following general objectives for FY 1987-88.

1. Provide orientations, continuing professional education, and special-subject programs for the judiciary and court support personnel of the Unified Judicial System, with emphasis on progressive career development.

2. Conduct basic and evaluative research leading to continuing modernization and reappraisal of the administration of justice in Alabama through judicial education.

3. Provide educational programs to improve and enhance the capability of the courts and their ancillary activities, and to explore and integrate relationships of court personnel in operating as a unified system.

4. Coordinate the effective use of resources available to accomplish the purpose of the Alabama Judicial College, including: (a) attendance at out-of-state programs when appropriate to career development, and (b) education efforts of the College, together with other judicial organizations and associations within the State, to facilitate career development.

More specifically, the goals of the Alabama Judicial College for the coming year are as follows.

1. Review and disseminate the judicial college survey to the education committees, meet with the judicial education committees, and implement as many recommendations from the survey as possible and acceptable.

2. Meet individually with as many officials and employees in each circuit as possible to further determine their educational needs and encourage even greater participation in judicial educational programs. Survey respondents expressed an interest in continually providing input into future programs.

3. Establish long-range curriculum plans for component groups, particularly judges and clerks. The consensus from the survey indicated support from

all component groups for long-range curriculum planning and the AJC sees this as a high priority in improving judicial education.

4. Individualize the new judges orientation program for circuit and district judges. New judges are elected and/or appointed to office at varying times of the year and it is essential to provide a standardized education program for them when they assume office.

5. Develop a closer working relationship with the University of Alabama School of Law and the Cumberland School of Law. Sharing of resources, educational facilities, and utilization of law professors as faculty would be beneficial for judicial education, as indicated in the survey.

Suggestions from the evaluation study and the Alabama Judicial College staff identified specific strategies for achieving the aforementioned goals. This list is not meant to be comprehensive but rather examples of how recommendations can be implemented.

1. Develop realistic attendance goals for all component groups and try to meet them. Encourage attendance through on-site courthouse visits and encourage regular attendees to recruit non-attendees.

2. Maintain and expand the certificate program for judges and include other groups (i.e., clerks).

3. Encourage judges and clerks to urge employees to attend judicial seminars and make it possible for them to attend.

4. Provide more presentations that involve the participants actively, not just lectures . . . but do not depend heavily on discussions because the focus can easily be lost during discussion. Look for innovative presentation techniques with demonstrated effectiveness.

5. Utilize subcommittees of education committees, system leaders, and law professors to look into a "core curriculum" and long range planning for education programs.

6. Consider using college environment for "serious learning" for all component groups.

7. Explore possibilities of an orientation for <u>all</u> new employees of the system. This would include written materials, audio-visual presentations, and mentor programs.

8. Utilize appellate judges in programs more often and seek their input for educational topics.

9. Develop criteria to measure the success of judicial education programs--i.e, judges improve areas that have frequent reversals, clerks reduce number of audit exemptions.

10. Improve the current evaluation form and increase the number of respondents.

11. Seek approval for a professional employee charged solely with improving and developing the educational services offered by the Alabama Judicial College.

12. Insure that key topics of the system are included in on-going judicial education.

13. Prioritize and seek funding for out-of-state education. Each new judge should attend the National Judicial College during his/her first year on the bench. All other judges should have the opportunity to attend an out-of-state seminar once every three years.

14. Explore ways to work with the National Judicial College and the Institute for Court Management to bring timely programs to Alabama for a limited number of our judges who have demonstrated an interest in improving their skills. Criteria must be established and this would encourage attendance at regular AJC meetings.

15. Consider a more permanent "faculty group" including Charles Gamble and others who have demonstrated effective teaching abilities.

16. Standardize, review, and retype handouts if necessary.

17. Consider holding a southeastern regional meeting.

With the results of this evaluation providing both positive affirmation of the existing educational programs and guidance for future programs, the Alabama Judicial College has a renewed commitment to continue exploring ways to provide quality education and training for all components of the Unified Judicial System.

REFERENCES

Blase, J. J. (1986). A qualitative analysis of sources of teacher stress: Consequences for performance. American Educational Research Journal, 23 (1), 13-40.

Bogdan, R. C., & Biklen, S. K. (1982). Qualitative research for education: An introduction to theory and methods. Boston: Allyn and Bacon.

Glaser, B., & Strauss, A. (1967). Discovery of grounded theory. Chicago: Aldine.

Parker, W. C., & Gehrke, N. J. (1986). Learning activities and teachers' decision-making: Some grounded hypotheses. American Educational Research Journal, 23(2), 227-242.

Spradley, J. P. (1979). The ethnographic interview. New York: Holt, Rinehart and Winston.

Spradley, J. P. (1980). Participant observation. New York: Holt, Rinehart and Winston.

APPENDIX

ALABAMA JUDICIAL COLLEGE
Evaluation Questionnaire

THE EVALUATION AND ASSESSMENT LABORATORY

February 1987

COLLEGE OF EDUCATION THE UNIVERSITY OF ALABAMA

1. What percentage of Alabama Judicial College (AJC) conferences have you attended while in your present position?

___ 0% ___ 25% or less ___ 26-50% ___ 51-75% ___ 76-100%

2. How has your pattern of attendance changed over the years?

___ Increased ___ Decreased ___ Fluctuated ___ No change

3. For conferences you did **not** attend, what factors affected your non-attendance?

FACTOR	IMPORTANCE FOR NON-ATTENDANCE NONE	SOME	GREAT	FACTOR	IMPORTANCE FOR NON-ATTENDANCE NONE	SOME	GREAT
Geographic location	___	___	___	Type of facility	___	___	___
Type of notification	___	___	___	Timing of notification	___	___	___
Scheduling conflict	___	___	___	Conference duration	___	___	___
Conference content	___	___	___	Election activities	___	___	___

Other (specify)_____

4. Rate each of the following factors to indicate your preference for specific alternatives.

FACTOR	PREFERENCE DISLIKE	OK	PREFER	FACTOR	PREFERENCE DISLIKE	OK	PREFER
Type of facility:				Duration:			
Resort	___	___	___	1/2 day	___	___	___
Non-resort hotels/motels	___	___	___	Full day	___	___	___
College campus	___	___	___	2 days	___	___	___
Administrative Office of Courts (AOC) building	___	___	___	3 days	___	___	___
				Week	___	___	___
Geographic location:				Weekend	___	___	___
All centrally located	___	___	___	Evening	___	___	___
Alternating locations	___	___	___				
Metropolitan area	___	___	___				

5. Please comment on any other factors that have influenced your attendance or non-attendance. Include any elaborations you can make on factors you have indicated as influential in items 3 and 4.

_____

_____

_____

_____

6. When you go to an AJC conference **approximately** what percentage of the sessions do you actually attend?

___ 10% or less ___ 11-25% ___ 26-50% ___ 51-75% ___ 76-90% ___ Greater than 90%

7. What would you suggest to encourage attendance? _____

_____

_____

8. Would you like to have within-state regional meetings? (Check all that apply)

___ No
___ Yes, but only as a **supplement** to state-wide meetings
___ Yes, if I were reimbursed for attending
___ Yes, even if I had to pay to attend

9. If within-state regional meetings are held, how should they be organized? (Check all that apply)

___ Geographic regions ___ Circuits ___ Other (specify):_____

10. If within-state regional meetings are held, when should they be held? (Check all that apply)

___ Morning ___ Luncheon ___ Afternoon ___ Full day ___ Dinner ___ Evening

11. Would you like to have a joint conference with other Alabama court officials and/or employees?

___ No ___ Yes, with (specify positions): _____

12. Would you like to have a Southeastern Judges educational conference in Alabama? ___ No ___ Yes

PLEASE GO ON TO ITEM 13

NOTE: The questions on this page ask you to describe your **general** impression of several aspects of the conferences, workshops, seminars, and courses you have attended. Although you may have found some sessions to be outstanding with respect to some factors, some sessions average, and some poor, please give us your **overall** impression. If you have not attended any AJC educational conferences, go on to the next page.

13. In general, has the program content been appropriately detailed for your needs?

____ No, too superficial ____ No, too detailed ____ Yes

14. Overall, how would you characterize the relative proportion of the following presentation techniques used at AJC educational programs?

	NOT ENOUGH	JUST RIGHT	TOO MANY
Lectures	____	____	____
Discussions	____	____	____
Question and answer periods	____	____	____
Opportunities for practice/application	____	____	____

15. In general, has an appropriate amount of time been allocated for each topic addressed?

____ Usually too much ____ Usually too little ____ Usually about right

Comment:_____

16. Are there any innovative educational techniques you would like to see used more often? (Check all that apply)

____ Case presentations ____ Videotape presentations ____ Other (specify): _____

17. How would you characterize the handouts you **typically** receive?

Content:	____ Poor	____ OK	____ Excellent
Quantity:	____ Too few	____ Too many	____ Just right
Level:	____ Too simplistic	____ Too complicated	____ Just right
Usability:	____ Difficult to use (e.g., disorganized)		____ Easy to use

18. What do you **usually** do with the handouts you receive? (Check all that apply)

____ None are available	____ Don't take	____ Throw away
____ Read once	____ Refer to frequently	____ Refer to occasionally
____ Circulate to colleagues	____ Circulate to staff	____ File
____ Other (specify) _____		

19. How valuable to you are the formal presentations?

____ Little value ____ Some value ____ Great value

20. How valuable to you are the informal contacts with colleagues?

____ Little value ____ Some value ____ Great value

21. How often do you return from AJC presentations with:

	NEVER	RARELY	SOMETIMES	USUALLY	ALWAYS
New legal knowledge	____	____	____	____	____
New professional skills	____	____	____	____	____

22. How often have you **used** knowledge or skills obtained from AJC presentations?

	NEVER	OCCASIONALLY	FREQUENTLY
Legal knowledge	____	____	____
Professional skills	____	____	____

23. Are an appropriate number of conferences held each year?

____ No, too few to cover all the topics I need ____ No, too many ____ Yes

24. How often have you missed a session you would have liked to attend because you attended another session scheduled at the same time?

____ Never ____ Occasionally ____ Frequently

25. If the topics and level were appropriate to your needs, would you use any of the following learning aids to supplement an AJC session, as a review of a session, for new material, for orientation, or for conference sessions you could not attend? (Check all that apply)

	SUPPLEMENT	REVIEW	NEW	ORIENTATION	MISSED SESSIONS
Audio tapes	___	___	___	___	___
Video tapes	___	___	___	___	___
How-to manuals	___	___	___	___	___
Computer programs	___	___	___	___	___

Other (specify) _____

26. Should any new handbooks/bench manuals for judges be developed? ___ No ___ Yes (specify): _____

_____

27. Should any handbooks/bench manuals for judges be updated? ___ No ___ Yes (specify): _____

_____

28. Should judges be required to complete a specified "core curriculum" of educational programs to receive an AJC certificate? ___ No ___ Yes

29. If there were a specified "core curriculum" for judges, what are some of the things it should include?

_____ _____

_____ _____

_____ _____

30. Should some of your education be specifically oriented to (check all that apply):

___ Size of court ___ Rural/urban status ___ Jurisdiction of court

31. If so, please give examples or an explanation _____

_____

32. Should a "bring your own problem" session be included in each conference? ___ No ___ Yes

33. Who should be included on your educational committee? (Check all that apply)

___ Judges ___ Lawyers ___ Administrative Office of Courts Staff

___ Justices ___ Law professors

___ Other (specify) _____

34. How should your Educational Committee gather information to use in curriculum planning?

_____

_____

35. What percentage of your travel expenses would you be willing to pay for your in-state education if that were the only way to guarantee that educational programs could be held every year?

___ 0% ___ 25% ___ 50% ___ 75% ___ 100%

36. For the most part, whom do you prefer as faculty for your educational programs? (Check all that apply)

___ Out-of-state judges
___ In-state judges
___ Appellate court justices/judges
___ Judges returning from National Judicial College (NJC) programs
___ Judges returning from out-of-state educational programs
___ Practicing lawyers
___ Law professors/deans
___ AOC staff
___ Other professionals (specify): _____

_____

PLEASE TURN THE PAGE

37. Which of these policies or goals should the AJC consider adopting to accomplish educational objectives? (Check all that apply)

____ Mandatory attendance at a specified proportion of educational conferences

____ Specified educational priorities

____ Support for out-of-state educational conferences

____ Regular faculty attached to AJC to coordinate the programs and be responsible for the core curriculum (but with other presenters also)

Other (specify): _____

_____

_____

_____

_____

Additional comments: _____

_____

_____

_____

38. Should the NJC program for new judges be mandatory for them in the first year?

____ No ____ Yes

39. Would you be interested in a degree program for judicial studies if one were available in Alabama?

____ No ____ Yes

40. Should judges be encouraged to participate in a master's degree program? (Check all that apply)

____ No
____ Yes, through participation in the NJC master's degree program
____ Yes, through participation in an Alabama judicial degree program

41. If so, what kinds of encouragement should be offered? (Check all that apply)

____ Financial support
____ Timely information
____ Presentations by participants

____ Other (specify): _____

_____

42. Should the present 100-hour certificate program be expanded to also include a:

____ 200-hour certificate ____ 500-hour certificate ____ Other (specify) _____

PLEASE GO ON TO ITEM 43

43. How necessary is an orientation for new judges?

____ Not at all necessary ____ Helpful, but not necessary ____ Necessary

44. Which of your orientation activities were most helpful? _____

_____

45. What topics or activities should be included in orientation? _____

_____

46. Would "refresher" orientation activities be helpful? ____ No ____ Yes

47. If yes, when? ____ After 6 months ____ After a year ____ Other (specify): _____

48. Would it be helpful to have an experienced judge assigned as a mentor for new judges? ____ No ____ Yes

49. What topics should be included in **orientation** activities for **your court employees**?

Position	Topics
_____	_____
_____	_____
_____	_____

50. Please indicate which of **your court employees** should be required to complete a **core curriculum** before receiving an AJC training certificate (similar to the judges' 100-hour certificate) **and** indicate what the curricula should address.

Position	Curriculum
_____	_____
_____	_____
_____	_____

51. What additional suggestions do you have for the education/training of other court employees?

_____

52. Overall, what is your reaction to the AJC educational program?

53. What are the strongest features of the AJC program?

54. What suggestions do you have for improving the AJC program?

PLEASE RETURN THIS QUESTIONNAIRE IN THE ENVELOPE PROVIDED to
Alabama Judicial College Evaluation
The Evaluation and Assessment Laboratory
The University of Alabama
Post Office Box Q
Tuscaloosa, Alabama 35487-9782

College of Education, The University of Alabama
Rodney W. Roth, Dean

DRAFT

The Alabama Judicial College
Needs Assessment and Evaluation

EXCERPTS

Presented to

The Administrative Office of Courts

by

The Evaluation and Assessment Laboratory
The University of Alabama
P.O. Box Q
Tuscaloosa, Alabama 35487-9782

James E. McLean, Project Director
Kathleen A. Bolland, Project Coordinator
Julia S. Rogers, Researcher
Gloria A. Turner, Researcher
M. Genette Davis, Project Assistant
Emily K. Ellis, Project Assistant
Elizabeth G. Eller, Project Assistant

Consultants
Carl E. Cecil
Jean H. Cecil
Charles W. Gamble

October, 1987

Table of Contents

Introduction 1
Evaluation Design 4
    Qualitative Study 4
    Questionnaire Survey 4
Discussion and Recommendations 9
    Judges 9
    Clerks/Registers 9
    Legal Secretaries 9
    Court Reporters 9
    Other Employees 9
    AJC 9
Summary 9
Appendices 9
    AJC Conference Programs 9
    AJC Conference Evaluation Questionnaire 9
    Survey Questionnaires and Explanatory and Follow-up Materials . . 9
    Survey Results 9
Technical Supplement 9
References 9

Judges

Respondent Profile/Sample Characteristics

Questionnaires were sent to 258 district and circuit court judges: all the incumbents and those recently retired and recently defeated. Responses were received from 80.6% of this group, 85.8% of the 219 incumbents. Some of the questionnaires were not completed, but 195 questionnaires were included in the multiple-choice analysis and 187 in the open-ended analysis. A little more than half the respondents were circuit judges. Twenty-nine district and circuit judges from circuit 29 responded, and from 2 to 9 judges responded from each other circuit. Slightly over one third came from rural counties, almost one third from large counties, and a little over 10% each from small counties and from medium counties (see Appendix K for county classifications).

Attendance

Conference and Session Attendance

Ninety percent of the judges report having attended at least 50% of the conferences, and three fourths of them attended over 75%. This is the best record of attendance of any of the five groups of court employees and suggests that the judges at least are availing themselves of the opportunity for continuing education provided by the (AJC). Three quarters of the judges report no change in their attendance patterns over the years, with 10% reporting their attendance has fluctuated and another 10% saying their attendance has decreased. Only a small percent indicate an increase in attendance. The attendance patterns for judges have held up fairly well, and even though there is some indication of decline for a small percent, it should be remembered that these figures include retired judges, some of whom comment that their attendance has decreased since their retirement. When judges attend conferences, they report, they actually attend a high percent of the sessions offered. Over 90% have attended at least three quarters of the sessions, and over 50% have attended essentially all of the sessions. Considering the diversity of types and sizes of courts, these figures show a good session attendance record.

Attendance Factors

The overwhelming conference non-attendance factor given by judges is scheduling conflicts, with almost two thirds reporting that this factor has been of great importance and another third indicating that it has been of some importance to them. Less than 5% indicate scheduling conflicts are of no importance, but each of the other listed factors is of no importance to over 45%. About half report that conference content and geographic location are of great or some importance. Election activities and geographic location each are major factors in non-attendance for about 15% of the judges.

When asked to comment on factors affecting attendance, again judges frequently mention conflicts in schedule. Although several judges mention in their open-ended comments the need for notification at least several months in advance, the low percent indicating notification as a major factor in non-attendance suggests that AJC has generally provided notices in a timely

fashion. AJC's annual calendar of programs, along with the judges' high commitment to their educational program, probably combine to keep the judges aware of the dates for conferences. Since notification seems adequate, the primary sources of scheduling conflicts must lie elsewhere.

Several other sources of schedule conflicts are mentioned. Some are of a personal nature, relating to illnesses and family events, or just to not liking to be away from family so much. Others, however, are related to heavy court caseload, the need for someone to "hold down the court," and schedule conflicts with other professional activities (e.g., National Judicial College (NJC), other law- and court-related meetings). Some judges indicate that they believe a judge should always be available in every courthouse to handle emergencies. Others feel their caseloads are too heavy for them to be away for two or three days four times a year. (Other judges indicate that the opportunity to go to educational programs several times a year help reduce stress.)

R-J1 Continue to provide annual calendars of educational programs and remind judges of upcoming conferences.

R-J2 Facilitate conference attendance for judges who cite heavy case loads as reasons for nonattendance. For example, make provisions for retired judges to sit-in for those judges who feel they cannot be away, or make it clear that educational activities are higher priority than holding down the court, or require attendance only at a specified number of conferences per year so that judges can work out their own substitutes.

R-J3 Set realistic attendance goals and enlist everyone's cooperation in trying to meet these. [Consider whether present attendance levels may be the best you can expect without sanctions.]

Comments about conference content as a reason for non-attendance center primarily around court level, rural/urban status, and jurisdiction matters. One judge comments that district judges seem like "second class citizens" in the court system, with too many programs directed at circuit judges. Another objects to programs not being relevant to small town courts, and others comment on civil vs. criminal law emphasis. One judge mentions that there are not many conferences for appellate judges.

R-J4 Consider a conference for appellate judges once a year, or a session for them only at a regular judges' conference.

R-J5 Look closely at programs regarding their adequacy for meeting the needs of judges from differing court sizes and jurisdictions. Perhaps expand the present track system so that there are more parallel sessions and there are always sessions available of direct interest and applicability to nearly every judge.

Judges mentioning conference location as a factor affecting attendance focus on the part of the state and/or type of facility. Several comment on not liking conferences in the extreme northern or southern parts of the state.

The University of Alabama Law School dean made several suggestions regarding presentation techniques. He points out that traditionally, AJC instruction has focused almost solely on the "delivery of material" and not on "the degree to which it was received and retained." He suggests making the judges more responsible for some of their own learning by having some sessions where there would be advanced reading assignments of which the judges should have a working knowledge before the presentation. He also suggests the possible use of tests in some courses, to be reviewed in class as part of the learning process.

R-J16 Get the judges more involved in their own learning process. Presenters need to plan for participant involvement; methods for increasing learner participation in their own learning include discussion and question and answer sessions, hands-on workshops, advanced reading or other assignments, and self-tests to check on learning and serve as a springboard for discussion.

Learning Aids

Three questions deal with the use of learning aids as supplements to AJC sessions. The first of these asked about potential use of how-to manuals, video and audio tapes, and computer programs to be used to supplement a session, for review, for presentation of new material, for orientation, and for missed sessions. How-to manuals are the most popular of these suggestions, with almost half of the judges endorsing such manuals as supplements to sessions, and from 30% to 40% indicating they would be useful for missed sessions, review, and new material. From one fourth to one third of the judges also think video tapes and audio tapes could be useful as supplements, for review, and for missed sessions. About one fourth also think that video tapes could be useful for new material, but audio tapes are less well liked (by only 16%) for new material. Computer programs are not popular as learning aids, with only 16% thinking they might be useful as supplements, and 10% or less considering them useful for other purposes. This might be a result of unfamiliarity with the potential for computer-assisted learning, or lack of access to computers. Several judges commented on their lack of computer literacy and the non-availability of computers. One said, "This would be new ground to break." But another judge (apparently more familiar with computers) comments on the ease of updating and responding to computer based programs, and on the potential value of Alabama Office of Courts (AOC) and law school databases which could be accessed by judges. Although none of the suggested supplemental learning aids are popular for orientation, how-to manuals are liked best (but by only 15% of the judges). One judge suggests another type of innovative learning aid, satellite hook-up broadcasts, which are also suggested by the dean of The University of Alabama Law School.

The law school dean recommends also that the judicial college should be at "the very forefront" in its use of computerized legal education, in which there has been a "veritable revolution" recently. He particularly suggests the use of interactive software that is now available in a number of areas of the law, and of software tied in to video tapes so as to put the judge in the midst of a simulated trial and call on him/her to make certain trial rulings.

He points out that close ties with the law school(s) would make these resources available on a lower cost, shared basis.

R-J17 Develop a system for publishing, updating, and disseminating how-to manuals for topics that lend themselves to this sort of instruction. An annotated list and a borrowing system is one idea to consider.

R-J18 Videotape some of the lecture-type presentations for using for review and for study by judges who had to miss conference/session.

R-J19 Include a program on the value of computers for judicial education and court management, with enough "hands-on" opportunities for judges to get over being unfamiliar with their potential use. There should be some law school faculty, some judges, and many computer company representatives able to assist in planning such a "computer literacy" program (as it is called in colleges these days).

R-J20 Consult with law school personnel for state-of-the-art presentation techniques and materials that might be useful in judicial education.

R-J21 Prepare a handbook for presenters that includes suggestions for increasing participant involvement in their own learning.

Two questions on the questionnaire deal specifically with quality and disposition of handouts received at conferences. Essentially all of the judges view the content of handouts to be at least acceptable, and 40% consider the content to be excellent. Three fourths think the present number of handouts is just right, with the rest divided evenly between believing there ought to be fewer or more. Almost 90% think the level of the handouts has been about right, and over 80% find them easy to use. With approximately 20% finding handouts difficult to use, however, some attention may need to be paid to this aspect of handouts. Several judges comment that there is wide variability in the quality of the handouts and would like to see more quality control. One suggests the use of computers for "logical and easy access."

Approximately two thirds of the judges file their conference handouts. Almost one quarter frequently refer to their handouts and almost two thirds refer to them occasionally. Over one third reported that they read the handouts once, and many circulate them to colleagues and/or staff. Less than 5% throw their handouts away. Several judges add that they circulate handouts to local lawyers. One discusses them with colleagues, and another files them in the county law library. Many comment on the usefulness of the handouts and on their own systems of indexing and filing for reference. One judge points out that handouts that are simply outlines are not very useful.

Although somewhat uneven in quality, the handouts, overall, are viewed as valuable and worth saving and using for reference. Some attention should be paid to getting more consistent quality in the handouts and in making them easy to use and refer to. AJC staff indicate that they lee[a catalogue of handouts by presenter and subject, and that new judges receive handouts from past conferences. A more effective way of making cross-referencing system available and convenient for judges should be explored.

R-J30 As long as there are insufficient funds for in-state judicial education, there should be no policy of funding out-of-state educational expenses. If funds become available, first priority for out-of-state funding should go to new judges to attend the NJC orientation. Beyond that, a more detailed study should be made before any policy is set on subsidizing other out-of-state educational expenses.

Another policy listed is Mandatory attendance at a specified proportion of educational conferences. Half the judges check this alternative, indicating their support for a mandatory attendance policy. The lack of consensus is reflected in the comments of two of the judges.

> I strongly oppose any mandatory CLE [Continuing Legal Education] for judges (and for attorneys, too, for that matter). A professional will work to stay abreast of developments, and a lazy judge or lawyer can snooze through the mandatory CLE programs. Requiring attendance is demeaning to the judiciary.
>
> I firmly believe that judicial education should be mandatory. The public should not be at the mercy of judges who do not wish to keep current in the law.

Since attendance is already very high at judicial conferences, and since negative sanctions necessary for enforcement of mandatory attendance might cause annoyance more than they would force attendance of the small proportion who regularly do not attend, it might be better to look at some of the suggestions for encouraging attendance (covered elsewhere in this report) before adopting a mandatory attendance requirement. Published attendance records, for example, (particularly in the public press and the Alabama Lawyer) might be as effective as mandatory attendance. Interviews with those judges who have particularly poor attendance records might reveal some ways of encouraging their attendance, and might also serve notice that attendance really matters to the AOC.

Several judges suggest that if attendance were required, such requirements should be tailored to the needs of the particular jurisdiction involved--that a judge assigned only to domestic cases should not have to study criminal procedures. [This raises the question of a core curriculum. Are there any topics that "every educated judge should know," regardless of jurisdiction? In situations where judges specialize, is it ever necessary for them to step in for another judge with different types of cases? Does a domestic court judge ever go on to later become a judge with broader jurisdiction? Perhaps there need to be overview sessions on "new developments in criminal law for the non-criminal-court judge" and "civil law for the criminal court judge," with much deeper specialized sessions for those regularly involved in an area. These may be issues that the educational committee should address.]

R-J31 Some consideration should be given to the issue of mandatory attendance at educational programs. There is certainly some support for requiring

APPENDIX

RESULTS FROM THE JUDGE SURVEY QUESTIONNAIRE

DESIGN AND DEMOGRAPHICS

Design

As part of an overall evaluation and needs assessment conducted for the Alabama Judicial College in the spring of 1987, questionnaires were sent to all 219 incumbent circuit and district judges in the Alabama court system, and to 39 others who were either retired judges serving as active substitutes for the court system or were recently defeated judges, totaling 258 judges. Of these, 80.6% (208 out of 258) returned their questionnaires. Not including the retired and defeated judges, 85.8% (188 out of 219) were returned. In all, there were 195 usable questionnaires included in the analysis of the multiple-choice items, and 187 included in the analysis of the open-ended items. The questionnaires that were not used in each analysis were those that included no multiple-choice and/or no open-ended responses, or were returned after the cut-off date and thus were too late to be included in the quantitative analysis. Late responses were included in the open-ended question analysis.

Demographics

The judges and former judges who responded were well distributed across district and circuit courts and across large, medium, and small urban counties and rural counties. (For a classification of counties by size, see Appendix K.) All circuits were represented among the respondents, with 29 respondents from Circuit 10 (and the district courts in Circuit 10), and between 2 and 9 from each of the other circuits. The following charts indicate response frequencies and percentages of usable questionnaires according to these classifications. [Note: Size and circuit identification are not available for 17 judges who are retired or were defeated, and for one who crossed out the code on the questionnaire.

Distribution by Current/Former Status

	Frequency	Percentage
Former judges	17	8.7%
Current judges	177	90.8%
Unknown	1	.5%
TOTAL	195	100.0%

Representation from Each Court Level

	Frequency	Percentage
Circuit	115	59.0%
District	79	40.5%
Unknown	1	.5%
TOTAL	195	100.0

RESULTS

Results of the questionnaire study follow. They are organized around clusters of related questions. Actual questions are given in **bold face**, preceded by the questionnaire item number. Response percentages are provided for each multiple-choice item and quasi-verbatim[1] responses are provided for each open-ended item. Open-ended responses have been listed in categories, within each questionnaire item; each response is listed only once, although some responses may be pertinent to more than one response category. Although 195 judges responded to the multiple-choice questions, each respondent did not necessarily respond to each item. The number of judges who responded to each item is given, either in the response table or in parentheses following the question (N =). A copy of the questionnaire is in Appendix @ ___.

---

[1]Respondents' comments have been provided verbatim, with the following exceptions:

Severe grammatical and spelling errors have been corrected and most abbreviations and acronyms have been spelled out.

Responses that were essentially identical have been combined. For example, if two individuals listed "speakers" and one listed "presenter," the response listing would be:

Speakers. (3)

Open-ended responses that are identical to the multiple-choice alternative selected have not been listed. Thus if a person checked "judges" and wrote "judges," judges is not included in the open-ended response listing.

5. **Please comment on any other factors that have influenced your attendance or non-attendance.** [Open-ended responses to question 3 are provided here as well]

Content of Conference or Value of Judicial Education

Civil law is not my cup of tea.

Since retiring as a circuit judge, I have been assigned fulltime to an appellate court--hence my operational sphere has changed. There are not as many conferences for appellate judges as for trial judges.

Conference content of National Council conferences has influenced attendance.

AJC programs are invariably enlightening and renewing--I like the parallel format we have used where unused specialty courses can be avoided.

Enjoy the learning process, exchange of ideas and common problems. Social contact with other judges and AOC personnel.

I have regularly attended. I believe that continuing education is important to judicial system.

I feel an obligation and duty to attend; to stay as up-to-date as possible.

I feel an obligation to attend and the above factors make little difference to me.

I needed to upgrade my capabilities in certain areas. These specific items were offered in given areas.

The practical benefits of the conferences, due to high quality of subject matter and speakers.

Generally good programs and chance to meet with other judges to exchange ideas.

Attendance always influenced by personal benefit to participants.

Material content and location.

I feel judicial education is very important. The only conferences I failed to attend were due to either illness or an unavoidable scheduling conflict.

I enjoy the CLE and always try to attend.

The program.

Primarily caseload and subject matter of conferences are greatest factors.

Practicable learning experience.

As a circuit judge I feel obligated to attend all conferences that I can.

Very beneficial in many ways.

Since I am new on the bench, all subjects have been helpful to me, and I try to attend all of the conferences.

Your conferences are most important to judges. Attendance should be mandatory. Notices of conferences should go out at least two months prior to the date to avoid conflicts of dockets.

In the past because of the frequency of conferences I felt that AOC was straining to get subject matter to teach.

Program content--at times repetitious.

Usually already know the material or rarely need it. Sometimes the presentations are short on substance, like the one on Civil RICO.

Locations or Facilities

Crime rate in Birmingham.

Gulf State park facility was deplorable. I would never stay there again but would make arrangements at local condominium.

Have no preference for location. Resort area once a year is nice for family.

How physical disability is adaptable to location and facilities of conference.

Huntsville and Gulf Shores are too long of drives.

I preferred meeting at the location of and just preceding Alabama Bar meetings. It gave judges the opportunity of attending some bar functions.

I prefer that the type of facility and the location be alternated.

I feel that conferences held at Gulf Coast normally have a better turn out.

I prefer Gulf Shores so I can include my family. I also enjoy the University of Alabama because that is where I went to college and law school.

Top locations.

Expenses

All reasonable expenses paid and concentrate seminars or meetings during summer, preferably at resort type location.

Expenses and per diem being paid.

State reimbursement for expenses.

Other

Did not know this was a problem.

Two or more notices well in advance of conference.

I think the choices of meetings to attend is the best way.

Conference Mechanics

Although a number of the questions in the last section dealt with logistics issues as they affect attendance, three other questions dealt with other aspects of logistics. One asked about the appropriateness of the number of conferences held each year. Another question dealt with missing sessions within a conference because of attending another session of equal or greater interest. A final question asked about percent of expenses the respondent would be willing to pay for education if state funding were not available.

Number of Conferences

23. **Are an appropriate number of conferences held each year?** (N=183)

65.0%	Yes
21.3%	No, too few to cover all the topics I need
13.7%	No, too many

Comments

If at least 2 per year.

Two each year.

We need quarterly meetings.

In an ordinary year.

Yes, except this year.

When we have three.

Except this year due to budget.

Normally, yes. With proration, no.

Yes, four was a good number (before proration).

Yes, before proration (too few now).

There were too many until the money was cut down. The number is now satisfactory.

Missed Concurrent Sessions

24. **How often have you missed a session you would have liked to attend because you attended another session scheduled at the same time?** (N=188)

13.3%	Never
67.6%	occasionally
19.1%	never

Comments

Conflicts with annual ACCD meeting.

Frequently: Many programs of interest geared to circuit judges are also pertinen to district judges. I doubt if the reverse would be true.

Many times.

My conflict did not involve other educational sessions.

Two times in ten years.

Travel Expenses

35. **What percentage of your travel expenses would you be willing to pay for your in-state education if that were the only way to guarantee that educational programs could be held every year?** (N=173)

Respondents	Expenses
31.2%	100%
1.2%	75%
35.8%	50%
15.6%	25%
16.2%	0%

Comments

0%--not fair.

I think the state should provide education as essential part of judiciary.

Educational Methods

Twelve questions were related to educational methods. The first two of these dealt with the level of detail of the content provided, and the amount of time allocated for various topics. Another two questioned the value of informal contacts and of formal presentations. Three others discussed the balance of presentation techniques, potential use of innovative techniques and supplemental learning aids, and a bring your own problem session. Three more addressed learning aids. One of these asked about potential use of additional learning aids, and the other two addressed handouts currently used. An additional two addressed handbooks.

Content Coverage

13. **In general, has the program content been appropriately detailed for your needs?** (N=185)

90.3%	Yes
9.7%	No, too superficial
0.0%	No, too detailed

Comments

Needed more time.

15. **In general, has an appropriate amount of time been allocated for each topic addressed?** (N=182)

88.5%	usually about right
10.4%	usually too little
1.1%	usually too much

Lack of Time

Not practicable probably to expand time.

Of course, there is never enough time to cover most subjects thoroughly.

Never enough time.

On interesting topics, we seem to run out of time, not able to ask questions.

Too often, just hit highlights.

Too often, presenters say "because of time limitations, I must. . . etc."

It is unavoidable.

Too Much Time

Some all day programs are too much.

Usually too long unless someone occupies speaker's time by interruption.

Depends

Depends on topics.

Depends on subject.

Never enough time with good speaker, too much with bad.

Comments

Yes, but: more input from speakers might help set time needs.

Would like to see much more emphasis on juvenile and related matters.

Formal and informal aspects of program

19. **How valuable to you are the formal presentations?** (N=188)

38.8%	Great value
60.1%	Some value
1.1%	Little value

20. **How valuable to you are the informal contacts with colleagues?** (N=192)

73.4%	Great value
25.0%	Some value
1.6%	Little value

Comments

Used to be of more value.

Presentation Techniques

14. **Overall, how would you characterize the relative proportion of the following presentation techniques used at AJC educational programs?**

	Not enough	Just right	Too many
Lectures	5.4%	75.3%	19.4%
Discussions	29.5%	63.9%	6.6%
Question and Answer Periods	27.8%	65.9%	6.3%
Practice/Application Opportunities	44.2%	53.2%	2.6%